IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 477 OF 2005

Krishnadevi Rajkumar Mali alias
Krishnadevi Shivprasad Mali. ... Appellant.

Versus.

Ram Narayan Dukhi Vishwakarma
and another. ... Respondents.

Shri Sandesh Patil for the Appellant.

CORAM : ABHAY S. OKA, J.

DATED : 4th May, 2005.

P.C.:

1. Heard Shri Patil for the Appellant. The Second Appeal is by the Obstructionist. The obstruction by the Appellant was ordered to be removed by the trial Court and the said order has been confirmed in Appeal. The Appellate Court has relied upon the clear admission given by the Appellant in her cross-examination regarding the location of the premises which she is claiming to be in possession. The Appellate Court held that from the said admission, it is clear that the Appellant is claiming to be in possession of the suit premises. There is no attempt made by the Appellant to establish her independent right, title and interest and the only contention which was raised was that the property in her possession is different from the suit property.

2. There are concurrent findings of fact recorded by the Courts below. No substantial question of law arises. The Second Appeal is dismissed with no order as to costs.

Judge.